



W.P.(MD)No.9712 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.9712 of 2025

Pathmanaban

: Petitioner

Vs.

1. The Commissioner,
Hindu Religious Endowment Board,
Chennai.

2. The Assistant Commissioner,
Hindu Religious Endowment Board,
Tirunelveli.

3. The Thakkar/managing Director,
Karisutru Uvari Kundal Kari Sastha Temple,
Managed by Kulasi Mutharammal Temple.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 3 to consider petitioners application for the post of trustee thereby appoint himself as a trustee to the Karaisutru Uvari Kundal Sastha Temple within the stipulated period by considering his representation dated on 11.03.2025.

For Petitioner : Mr.N.Ratchaka



W.P.(MD)No.9712 of 2025

WEB COPY

For Respondents : Mr.K.S.Selvaganesan

Addl. Government Pleader for R1 to R3

ORDER

This Writ Petition has been filed seeking a direction to the respondents 1 to 3 to consider the petitioner's application for the post of trustee and appoint him as a 'trustee' to the Karaisutru Uvari Kundal Sastha Temple, by considering his representation dated 11.03.2025.

2. Heard the learned counsel for the parties. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3.The petitioner claims to be the Practice Manager at the third respondent Temple. The grievance of the petitioner is that although he applied for the position of 'Trustee' in response to the notification issued by the respondents, no action has been taken on his application. In this regard, he submitted a representation dated 11.03.2025 to the respondents 1 to 3, requesting to consider his application. As no action has been taken, the petitioner has now filed the present writ petition.



W.P.(MD)No.9712 of 2025

WEB COPY

4. The learned counsel for the petitioner would submit that, it would suffice, if this Court issues a direction to the second respondent to consider the representation of the petitioner and pass appropriate orders, within a time frame that may be stipulated by this court.

5. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

6. In the light of the above observations, there shall be a direction to the second respondent to consider the petitioner's representation dated 11.03.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the



W.P.(MD)No.9712 of 2025

WEB COPY

petitioner, as well as all other persons, who may be interested in the subject matter, within a period of four weeks from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the second respondent to consider the same on its own merits.

7. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs.

07.04.2025

Index : Yes / No

Internet : Yes / No

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W.P.(MD)No.9712 of 2025

WEB COPY

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W.P.(MD)No.9712 of 2025

VIVEK KUMAR SINGH, J.

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W.P.(MD) No.9712 of 2025

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